IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

TUESDAY, THE TWELFTH DAY OF APRIL
TWO THOUSAND AND FIVE

PRESENT

**THE HON'BLE MR JUSTICE D.S.R.VARMA**

**WRIT PETITION NO : 8074 of 2005**

Between:

Manda Veerabhadra Rao, S/o. Surya Narayana Murthy, Fair Price shop Dealer, Shop No.17, Thantikonda Village, Gokavaram Mandal, E.G.District.

**..... PETITIONER**

AND

1 The Joint Collector, East Godavary District, at Kakinada.
2 The Revenue Divisional Officer, Rajahmundry, E.G.district.
3 The Mandal Revenaue Officer, Gokavaram Mandal, E.G.District.

**.....RESPONDENTS**

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to Issue appropriate writ or order or direction more particularly one in the nature of writ of mandamus declaring the action of the respondents in not supplying the essential commodities to the petitioner
(Fair Price Shop Dealer) of Shop No.17 of Thantikonda Village, Gokavaram Mandal, E.G.District as illegal, arbitrary and unjust and consequently direct the respondents to supply the essential commodities as long as the Dealership is neither suspended nor cancelled and to pass such other order or orders.

**Counsel for the Petitioner: MR.K.VENKATESH**

**Counsel for the Respondents: GP FOR CIVIL SUPPLIES**

**The Court at the stage of admission made the following :**

***ORAL ORDER***:

Heard both sides. Perused the material placed before me.

The only grievance of the petitioner is that stocks of essential commodities are not being released to him to distribute the same to the cardholders in spite of the fact that his authorization as a fair price shop dealer is neither suspended nor cancelled.

This Court had already taken a view in several similar cases that mere pendency of proceedings under Section 6-A of the Essential Commodities Act shall not be taken as a ground for not releasing the stocks.

Having regard to the facts and circumstances of the case and in view of view taken by this Court in several other matters, respondents are directed to release the stocks of essential commodities to the petitioner for the purpose of distributing the same to the cardholders, provided the authorization of the petitioner as fair price shop dealer is in subsistence.

With the above observations and directions, the writ petition is disposed of at the stage of admission. No costs.

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kvsn 12-04-2005

To

1 The Joint Collector, East Godavary District, at Kakinada.

2 The Revenue Divisional Officer, Rajahmundry, E.G.district.

3 The Mandal Revenaue Officer, Gokavaram Mandal, E.G.District.

4 Two CCs to GP for Civil Supplies, High Court buildings, Hyderabad.

5 Two CD copies.